

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

No. 07-20410

Plaintiff,

vs.

District Judge Paul D. Borman
Magistrate Judge R. Steven Whalen

MICHAEL L. SCHUTTPELZ,

Defendant.

/

ORDER RE: DOC. #s 146, 148, and 149

Defendant Michael L. Schuttpelz has filed a motion to vacate sentence, pursuant to 28 U.S.C. § 2855. On June 29, 2016, I filed a Report and Recommendation (“R&R”) that this motion be stricken as non-compliant with the Eastern District of Michigan Local Rules.

Before the Court at this time are the following motions:

- Motion for copies of pretrial transcripts [Doc. #146].
- Motion for leave to file supplemental memorandum of law [Doc. #148].
- Motion for leave to file only one copy [Doc. #149].

Given the recommendation to strike the § 2255 motion stricken, the above motions will be dismissed as moot. However, in the event that my R&R is rejected and the government’s motion to strike is denied, Defendant may refile these motions.

Accordingly, Defendant’s motions [Doc. #146, #148, and #149] are DENIED

WITHOUT PREJUDICE.

IT IS SO ORDERED.

s/R. Steven Whalen

R. STEVEN WHALEN

UNITED STATES MAGISTRATE JUDGE

Dated: June 29, 2016

CERTIFICATE OF SERVICE

I hereby certify on June 29, 2016, I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to non-registered ECF participants on June 29, 2016.

s/Carolyn M. Ciesla

Case Manager to

Magistrate Judge R. Steven Whalen